

REMARKS

The present application was filed on June 7, 2001 with claims 1 through 32. Claims 1 through 32 are presently pending in the above-identified patent application. Claims 1, 2, 12, 13, 17, 18, 22, 23, 31, and 32 are proposed to be amended herein.

5 In the Office Action, the Examiner rejected claims 11, 16, 21, and 30 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement, and rejected claims 2, 13, 18, 23, and 31 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner rejected claims 1, 10 5, and 9-10 under 35 U.S.C. §102(b) as being anticipated by Mosley et al. (United States Patent Number 5,630,058), rejected claim 2 under 35 U.S.C. §103(a) as being unpatentable over Mosley et al. in view of Pearce et al. (United States Patent Number 5,805,880), rejected claim 3 under 35 U.S.C. §103(a) as being unpatentable over Mosley et al. in view of Minasi (Mark Minasi, "Mastering Windows NT Server 4," 6th edition, 15 1999, ISBN: 0782124453), rejected claims 4 and 5 under 35 U.S.C. §103(a) as being unpatentable over Mosley et al. in view of Pearce et al. (United States Patent Number 6,308,272), rejected claim 6 under 35 U.S.C. §103(a) as being unpatentable over Mosley et al. in view of Sobell (Mark G. Sobell, "A Practical Guide to the UNIX System," 3rd edition, 1997, ISBN: 0805375651), rejected claims 1, 7-10, 12, 17, 22, 26-29, and 31-32 20 under 35 U.S.C. §103(a) as being unpatentable over Cromer et al. (United States Patent Number 6,021,493) in view of Mosley et al., rejected claims 14, 19, and 24 under 35 U.S.C. §103(a) as being unpatentable over Cromer et al. in view of Mosley et al., and further in view of Minasi, rejected claims 13, 18, and 23 under 35 U.S.C. §103(a) as being unpatentable over Cromer et al. in view of Mosley et al., and further in view of 25 Pearce et al. ('880), and rejected claims 15, 20, and 25 under 35 U.S.C. §103(a) as being unpatentable over Cromer et al. in view of Mosley et al., and further in view of Sobell.

Section 112 Rejections

Claims 11, 16, 21, and 30 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Claims 2, 13, 18, 23, 30 and 31 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention. In particular, the Examiner notes that claims 11, 16, 21, and 30 refer to performing a step if “said network connection is disconnected by an unauthorized user,” but asserts that the specification does not provide information on how the particular authorization of users is determined, especially since disconnecting a device from the network does not need to involve action performed on the device. Regarding the rejection of the cited claims for being indefinite, the Examiner asserts that the phrase “volume of said device” in claims 2, 13, 18, and 22 is ambiguous, and that claim 31 recites an article of manufacture, but then further attempts to limit the claim by the function of the apparatus. Applicants assume that the Examiner meant to reject claim 23 and not claim 22, since claim 22 does not recite the cited phrase.

Regarding the rejection for failing to comply with the enablement requirement, Applicants note that the specification teaches that an alarm will be generated “if the user computing device 110 is disconnected from the network connection *without proper notification* to the theft protection utility process 300.” (Page 3, lines 25-27; emphasis added.) Thus, if an unauthorized user disconnects the computing device, the alarm will be generated. An authorized user, however, can remove the device without generating an alarm in a variety of ways. For example, the specification teaches that “when the user attempts to remove the user computing device 110 from the network connection, the user can optionally be prompted by the central theft protection server 120 to enter a password.” (page 4, lines 5-7.) The system recognizes the authorized user password(s) listed in the authorized user database 200, and thus proper notification can be provided by entering the authorized password in response to the prompt by the central theft protection server 120. Thus, the system is aware that the computing device is being removed by an authorized user, as would be apparent to a person of ordinary skill in the art.

Claims 2, 13, 18, and 23 have been amended to emphasize that a volume *of an audio output* of said device is prevented from being reduced below a predefined minimum level.

Claim 31 has been amended to recite “said computer readable program code *which when executed implements the steps of...*”

Applicants believe that these amendments address the Examiner's concerns and respectfully request that the section 112 rejections be withdrawn.

Independent Claims 1, 12, 17, 22, 31 and 32

Independent claim 1 was rejected under 35 U.S.C. §102(e) as being
 5 anticipated by Mosley et al., and claims 1, 12, 17, 22, and 31-32 were rejected under 35
 U.S.C. §103(a) as being unpatentable over Cromer et al. in view of Mosley et al.
 Regarding claim 1, the Examiner asserts that Mosley teaches monitoring a device
 network connection and generating an alarm when said device is disconnected.
 Regarding claim 12, the Examiner asserts that Cromer discloses sending a message to a
 10 second device connected to said network that will initiate a response and indicating that a
 device is not attached to said network if said response is not received within a predefined
 time interval.

Applicants note that Mosley is directed to alerting an *operator* "when a
 terminal device is disconnected from the network." (See, Abstract.) Mosley teaches that
 15 "an operator is alerted by sounding an alarm at the network control computer or by other
 steps such as dialing a telephone number and transmitting a stored message or by
 transmitting an alarm message over the network to one of the terminal devices such as a
 personal computer." (See, Abstract; see, also, FIG. 1 and col. 2, lines 25-28; emphasis
 added.) Mosley also teaches "the security routine then continues as programmed in block
 20 333 to alert an operator by for example sending a message over the LAN to control
 terminal 10 to generate an audio alarm or to dial a preselected telephone number." (Col.
 4, lines 29-38.) Independent claims 1, 22, 31, and 32, as amended, require *generating an
 alarm in said removed device* if said network connection is disconnected. Independent
 claim 12, as amended, requires *generating an alarm in said removed device* if said
 25 response is not received within a predefined time interval. Independent claim 17 requires
generating an alarm in said removed device if said signal is no longer received.

Applicants also note that Cromer is directed to a method for detecting
 when a computer system has been disconnected from a data transmission network that
 "includes providing a plurality of computer systems connected to a main computer
 30 system via a data transmission network, each of said plurality of computer systems
 having a network connector for communicating data with the main computer." (Col. 2,

lines 39-46.) An alert message is sent "from the main computer to a *network administrator* only if it is determined that at least one of the plurality of computer systems is not connected to the network." (Col. 2, lines 52-55; emphasis added; see, also, col. 7, lines 31-54, and col. 9, lines 18-30.) Cromer does not disclose or suggest
 5 generating an alarm in the *removed device*.

Thus, Mosley et al. and Cromer et al., alone or in combination, do not disclose or suggest generating an alarm in said removed device if said network connection is disconnected, as required by independent claims 1, 22, 31, and 32, as amended, do not disclose or suggest generating an alarm in said removed device if said
 10 response is not received within a predefined time interval, as required by independent claim 12, as amended, and do not disclose or suggest generating an alarm in said removed device if said signal is no longer received, as required by independent claim 17, as amended.

Additional Cited References

15 Pearce et al. ('880) were also cited by the Examiner for its disclosure of an application controlling various security operations such as control of speaker volume. Applicants note that Pearce ('880) is directed to "computer utility programs that avoid security measures of an operating system while otherwise retaining secured operation." (See, col. 1, lines 11-13.) Pearce ('880) does not address the issue detecting the removal
 20 of a device connected to a network.

Thus, Pearce et al. ('880) do not disclose or suggest generating an alarm in said removed device if said network connection is disconnected, as required by independent claims 1, 22, 31, and 32, as amended, do not disclose or suggest generating an alarm in said removed device if said response is not received within a predefined time
 25 interval, as required by independent claim 12, as amended, and do not disclose or suggest generating an alarm in said removed device if said signal is no longer received, as required by independent claim 17, as amended.

Minasi was also cited by the Examiner for its disclosure of assigning rights to users that grant or deny access to certain objects (resources) such as turning off a
 30 device. Applicants note that Minasi is directed to registry control in an operating system,

user rights, and object permissions. Minasi does not address the issue detecting the removal of a device connected to a network.

Thus, Minasi does not disclose or suggest generating an alarm in said removed device if said network connection is disconnected, as required by independent
5 claims 1, 22, 31, and 32, as amended, does not disclose or suggest generating an alarm in said removed device if said response is not received within a predefined time interval, as required by independent claim 12, as amended, and does not disclose or suggest generating an alarm in said removed device if said signal is no longer received, as required by independent claim 17, as amended.

10 Pearce ('272) was also cited by the Examiner for its disclosure of monitoring that is set to activate automatically in a passive manner. Applicants note that Pearce ('272) is directed to a "security system using a security detector associated with a personal computer attached to an existing data transmission network, where the personal computer is effective to detect security breaches and transmit an alarm." (See, Abstract.)
15 Pearce ('272) does not address the issue detecting the removal of a device connected to a network.

Thus, Pearce ('272) does not disclose or suggest generating an alarm in said removed device if said network connection is disconnected, as required by independent claims 1, 22, 31, and 32, as amended, does not disclose or suggest
20 generating an alarm in said removed device if said response is not received within a predefined time interval, as required by independent claim 12, as amended, and does not disclose or suggest generating an alarm in said removed device if said signal is no longer received, as required by independent claim 17, as amended.

Sobell was also cited by the Examiner for its disclosure of using a
25 password to perform administrative tasks. Applicants note that Sobell is a guide to a UNIX system. Sobell does not address the issue detecting the removal of a device connected to a network.

Thus, Sobell does not disclose or suggest generating an alarm in said removed device if said network connection is disconnected, as required by independent
30 claims 1, 22, 31, and 32, as amended, does not disclose or suggest generating an alarm in said removed device if said response is not received within a predefined time interval, as

required by independent claim 12, as amended, and does not disclose or suggest generating an alarm in said removed device if said signal is no longer received, as required by independent claim 17, as amended.

Dependent Claims 2-11, 13-16, 18-21 and 23-30

5 Dependent claims 5 and 9-10 were rejected under 35 U.S.C. §102(b) as being anticipated by Mosley et al., claim 2 was rejected under 35 U.S.C. §103(a) as being unpatentable over Mosley et al. in view of Pearce et al. ('880), claim 3 was rejected under 35 U.S.C. §103(a) as being unpatentable over Mosley et al. in view of Minasi, claims 4 and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Mosley et al. in
10 view of Pearce et al. ('272), claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Mosley et al. in view of Sobell, claims 7-10, and 26-29 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cromer et al. in view of Mosley et al., claims 14, 19, and 24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cromer et al. in view of Mosley et al., and further in view of Minasi, claims 13, 18,
15 and 23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cromer et al. in view of Mosley et al., and further in view of Pearce et al. ('880), and claims 15, 20, and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cromer et al. in view of Mosley et al., and further in view of Sobell.

 Claims 2-11, 13-16, 18-21, and 23-30 are dependent on claims 1, 12, 17,
20 and 22, respectively, and are therefore patentably distinguished over Mosley et al., Pearce et al. ('272), Minasi, Pearce et al. ('880), Sobell, and Cromer et al. (alone or in any combination) because of their dependency from amended independent claims 1, 12, 17, and 22 for the reasons set forth above, as well as other elements these claims add in combination to their base claim.

25 All of the pending claims, i.e., claims 1-32, are in condition for allowance and such favorable action is earnestly solicited.

 If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

The Examiner's attention to this matter is appreciated.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ken M. Mason".

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